

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
McALLEN DIVISION**

<b>IN RE:</b>	§	
	§	
<b>ANGEL ROJAS and YANETT ROJAS,</b>	§	<b>CASE NO. 07-70058-M</b>
	§	
<b>Debtors.</b>	§	
	§	
<hr style="border: 0.5px solid black;"/>		
	§	
<b>ANGEL AND YENETT ROJAS,</b>	§	
	§	
<b>Plaintiffs,</b>	§	
	§	
<b>vs.</b>	§	<b>Adv. Proc. No. 09-07003</b>
	§	
<b>CITICORP TRUST BANK, fsb f/k/a</b>	§	
<b>TRAVELERS BANK &amp; TRUST,</b>	§	
	§	
<b>Defendant.</b>	§	
	§	

**NOTICE REGARDING ADDITIONAL BRIEFING**

On May 18, 2009, the Court conducted a hearing on the Motion to Dismiss filed by Citicorp Trust Bank, fsb f/k/a Travelers Bank and Trust (“CTB”). At that hearing, the Court afforded the parties the opportunity to provide additional authority from the Supreme Court of the United States or any court of appeals on the narrow issue of whether section 105 of the Bankruptcy Code can be utilized by the bankruptcy court when there is an established process for adjudicating claims and where Rule 9011 sanctions are available. CTB discovered no additional case authority directly addressing the question. Therefore, CTB stands on the briefing previously submitted to the court and its May 18, 2009 argument.

Dated: June 8, 2009

Respectfully submitted,

DEFENDANT CITICORP TRUST BANK, fsb

By its attorneys,

/s/ Elizabeth Freeman

Edwin R. DeYoung  
State Bar No. 05673000  
Federal I.D. No. 18828  
Roger Cowie  
State Bar No. 00783886  
Federal I.D. No 18886  
Locke Lord Bissell & Liddell LLP  
2200 Ross Ave., Suite 2200  
Dallas, TX 75201  
Telephone: (214) 740-8000  
Facsimile: (214) 740-8800

and

Elizabeth Freeman  
State Bar No. 24009222  
Federal I.D. No 25464  
600 Travis, Suite 3400  
Houston, Texas 77002  
Telephone: (713) 226-1607  
Facsimile: (713) 229-2694

**CERTIFICATE OF SERVICE**

The undersigned certifies that this **Notice** was served electronically on **Karen L. Kellett**, counsel for the Plaintiffs, on June 8, 2009 pursuant to Local Rule CV 5.1.

/s/ Elizabeth Freeman

Elizabeth Freeman